

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Harold S. Klock, Christine Klock,
and Morris Klock,

Civil No. 09-2058 (DWF/JSM)

v.

**ORDER TO DISMISS
AND REMAND**

Don Samuels and the City of
Minneapolis, a public body
corporate and politic under the
laws of the State of Minnesota,

Defendants.

Jill Clark, Esq., Jill Clark PA, counsel for Plaintiffs.

C. Lynne Fundingsland and Gregory P. Sautter, Assistant City Attorneys, Minneapolis
City Attorney's Office, counsel for Defendants.

Based upon the Stipulation of Dismissal jointly filed by the parties hereto (Doc.
No. [16]),

IT IS HEREBY ORDERED that:

1. Count Four, and all of its subparts, alleged violations of 28 U.S.C. § 1983 (the Federal Claims), is **DISMISSED, WITHOUT PREJUDICE**, and without costs or fees to any party.
2. The remaining claims in the First Amended Complaint – namely, Counts 1, 2 and 3, insofar as they are state law claims, – are **REMANDED** to the Hennepin County

District Court. The Clerk of the Court shall mail a certified copy of this Order to the Clerk of the Hennepin County District Court.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: September 7, 2010

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge